

thickness of the trunk portion is 0.2 to 0.7 mm. The ratio of a length H of the trunk portion to a length L of a diagonal line of a rectangle formed by the outer periphery of a horizontal cross-section of the trunk portion is 2 to 4. The plastic container is for holding photographic processing chemicals.

Through the structure of the claimed invention a) having a trunk portion formed by four planes, b) having the average thickness of the trunk portion being .2-.7 mm, c) having the ratio of the length of the trunk portion to the length of a diagonal line of the rectangle formed by the outer periphery of a horizontal cross-section of the trunk portion being 2-4, and d) having the container hold photographic processing chemicals as claimed in claims 1, 12, 13 and 20, the claimed invention provides a plastic container having self-stainability and configuration maintainability as well as disposability. The prior art does not show, teach or suggest a plastic container having the features as claimed in claims 1, 12, 13 and 20.

Claims 1-24 were rejected under 35 U.S.C. § 103 as being unpatentable over *Adell* (U.S. Patent No. 3,212,661).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, it is respectfully requested that the Examiner withdraws the rejection to the claims and allows the claims to issue.

*Adell* appears to disclose a device for storing therein additive for the liquid used in windshield washer mechanisms of motor vehicles. A bottle 15 has a cap 16 and a holder bracket 17 adapted to receive and to hold said bottle 15. The bottle 15 is illustrated

separately in Fig. 1. As shown in said figure, the bottle comprises a body portion 20 which in the embodiment illustrated in Figs. 1-5 is of a square cross section with rounded corners, as indicated at 21. The upper portion of the body 20 converges upwardly to provide a neck 22 adapted to receive the cap 16 in a manner well known in the art. The lower end of the body 20 is closed by the provision of a bottom 23. Along the body portion 20 and parallel to the longitudinal axis of the bottle there is provided a plurality, four in the embodiment illustrated in Figs. 1-5, of deformation elements such as raised beads 26 extending substantially throughout the entire length of the body portion 20. The beads 26 may be of a segmental cross section. In the lower portion of the body 20 and adjacent the bottom 23 of the bottle, there is provided a peripheral deformation element such as a groove 30 which may also be of a segmental cross section, as illustrated. In the bottom surface of the bottle, i.e., within the bottom 23 thereof, there are provided two recesses 31 and 32 arranged in a cross-like manner and having a suitable depth, such as one-half of the thickness of the bottom 23. Each of said recesses runs through the entire extent of the bottom, reaching from one side of the bottle to the other, with the center of the cross so formed substantially coinciding with the longitudinal axis of the bottle. The bottle is made from any suitable material, preferably transparent, such as glass or plastic.

(col. 2, lines 37-72)

Thus, *Adell* merely discloses a container. *Adell* does not disclose the dimensions of the container. However, assuming the container shown in Figure 1 is proportionally drawn, the container has a height of 75 mm and a length of a diagonal line of 45 mm. Thus, the ratio of H/L is 1.67 which is clearly outside the range of the ratio 2 to 4 claimed

in claims 1, 12, 13 and 20. In particular, the container of the claimed invention is slender having a ratio of the length of the trunk portion to the length of a diagonal line across a rectangle formed by an outer periphery of the horizontal cross section of the trunk portion being 2-4. However, *Adell* does not disclosed the dimensions of the container, but the ratio as measured from the drawings is clearly outside the range of the claimed invention.

Additionally, *Adell* discloses providing a) a plurality of raise beads 26 along the body portion 20 in parallel to the longitudinal axis of the body and b) a groove 30 adjacent the bottom of the bottle. Thus, nothing in *Adell* shows, teaches or suggests a trunk portion which is formed by four planes as claimed in claims 1, 12, 13 and 20. Rather, the container of *Adell* has raised beads 26 formed along the body portion 20 in parallel to the longitudinal axis as well as a groove 30 formed around its circumference at the bottom and thus the sides are not planes.

Also, nothing in *Adell* shows, teaches or suggests the average thickness of the trunk portion is 0.2-0.7 mm as claimed in claims 1, 12, 13 and 20. *Adell* merely discloses a container for windshield washing liquid mounted inside a hood of a vehicle which is detachable from a bracket 17. Thus, in order to obtain the detachability from the harness, beads 26 are formed and thus based upon the drawings in *Adell*, the wall thickness of each wall portion would be about 2 mm for the container shown in Figure 2 and about 1 mm for the container shown in Figure 5 which is substantially greater than the average thickness of the trunk portion being 0.2-0.7 mm as claimed in claims 1, 12, 13 and 20.

Furthermore, *Adell* discloses a container for windshield washing liquid. Nothing in *Adell* shows, teaches or suggests a plastic container containing photographic processing chemicals as claimed in claims 12, 13 and 20.

Applicant respectfully traverses the Examiner's statement that the container dimensions are obvious matters of design choice. Applicant respectfully submits that nothing in *Adell* shows, teaches or suggests the average wall thickness of the trunk portion, the ratio of the height to the width and the configuration of the plane surfaces of the trunk portion as claimed in claims 1, 12, 13 and 20. Furthermore, it is respectfully submitted that even assuming *arguendo* that a person of ordinary skill would see the device of *Adell*, there is no suggestion in *Adell* to design a container having proportions as claimed in claims 1, 12, 13 and 20. Furthermore, Applicant respectfully submits that *Adell*'s invention is for a container mounted in a hood of a vehicle which must withstand severe vibrations. Therefore, it is respectfully submitted that the average wall thickness of the trunk portion would not be made as thin as .2-.7 mm nor is there any suggestion to maintain such a thin wall thickness. Furthermore, since the side surfaces of *Adell* contain the beads 26 and groove 30, nothing in *Adell* shows, teaches or suggests why the bead and groove would be removed when in fact they are provided for fitting within the bracket 17. It is respectfully submitted that a person of skill in the art of photographic processing would not look at the *Adell* reference for a detachable container containing windshield washing liquid.

Since nothing in *Adell* shows, teaches or suggests the average wall thickness of a trunk portion being 0.2 - 0.7 mm, the ratio of the height to the width being 2-4, the

configuration of the trunk portion having plane surfaces, and the container containing photographic processing chemicals as claimed in claims 1, 12, 13 and 20, it is respectfully requested that the Examiner withdraws the rejection to claims 1, 12, 13 and 20 under 35 U.S.C. § 103.

Claims 2-11, 14-19 and 21-24 depend from claims 1, 12, 13 and 20 and recite additional features. It is respectfully submitted that claims 2-11, 14-19 and 21-24 would not have been obvious within the meaning of 35 U.S.C. § 103 over *Adell* at least for the reasons as set forth above. Furthermore, nothing in *Adell* shows, teaches or suggests the average wall thickness of the bottom portion of the container is .8-5 mm as claimed in claim 4. Rather, as shown in Figure 5 of *Adell*, the thickness of the trunk portion and the bottom portion are equal in *Adell*. Therefore, it is respectfully requested that the Examiner withdraws the rejection to claims 2-11, 14-19 and 21-24 under 35 U.S.C. § 103.

Thus, it now appears the application is in condition for reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested. Should the Examiner find that the application is not now in condition for allowance, it is respectfully requested that the Examiner enters this amendment for purposes of appeal.

If for any reason Examiner feels that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.